

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KIMBERLEY HICKS,

Plaintiff,

v.

ADRIZA CAESAR, in her individual
capacity, and BRIAN BROWN, in his
individual capacity,

Defendants.

Case No. 19-12716

Honorable Laurie J. Michelson

**OPINION AND ORDER GRANTING MOTION FOR SUMMARY
JUDGMENT**

Kimberley Hicks filed a complaint in September 2019, alleging that Brian Brown and Adriza Caesar discriminated against her based on race and sex in violation of state law and 42 U.S.C. § 1983. (ECF No. 8, PageID.62–66.)

Following discovery, Caesar alone filed for summary judgment. (ECF No. 27.) On October 27, 2021, the Court granted the motion for summary judgment on the § 1983 claim against Caesar, and it declined supplemental jurisdiction on the three state-law claims against both defendants. (ECF No. 33.) Only the § 1983 claim against Brown, which was the same claim that the Court dismissed against Caesar, survived.

On November 1, 2021, the Court entered the following text order: “the Court hereby gives notice of its intent to GRANT summary judgment to Defendant Brown under Federal Rule of Civil Procedure 56(f)(1) on the remaining federal claim.” It

invited Hicks to file a memorandum “setting forth new arguments as to why Brown was not entitled to such relief” by November 16, 2021.

Because Hicks failed to file a memorandum by the November 16 deadline, the Court GRANTS summary judgment to Brown on the § 1983 claim against him for the same reasons given in its previous opinion in this case. *See* (ECF No. 33); *Hicks v. Caesar*, No. 19-12716, 2021 WL 5040294 (E.D. Mich. Oct. 27, 2021). This case is dismissed.

SO ORDERED.

Dated: November 22, 2021

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE